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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/733,008

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06/16/2008

EXAMINER

RIDER, JUSTIN W

ART UNIT

PAPER NUMBER

2626

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/733,008	<b>Applicant(s)</b> ROUSSEAU, LESLIE	
	<b>Examiner</b> JUSTIN W. RIDER	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

1. In response to the Office Action mailed 10 April 2007, applicant submitted a response filed 11 October 2007, in which the applicant amended claims 1 and 10 without adding new matter.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 and 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

When a claim is amended or added, that subject matter must be previously disclosed somewhere in the original specification (e.g. the disclosure, drawings, etc...).

Specifically, claims 1 and 10 introduce an 'integrator' for clarification of the invention. There must be some specific prior mention of a component or module that would be an integrator (i.e. some component that performs the integration of the content component and the voice model component.).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Rondel *et al.*** (USPN 4,984,177) referred to as **Rondel** hereinafter in view of **Meredith (US Patent No. 5,796,916)** referred to as **Meredith** hereinafter.

Claims 1 and 10: **Rondel** discloses a device and method for language translation, comprising:

- i. receiving a speech input signal in a first language (col. 8, lines 44-47);
- ii. converting the speech input signal into a digital format (col. 7, lines 14-17)

comprising a voice model component representing a speech pattern of the speech input signal (col. 9, lines 39-43, *digitally encoded voice pattern*) and a content component representing a content of the speech input signal (Figs. 9 & 10; col. 7, lines 15-30 discloses wherein input content phrases are compared to other language equivalents for translation purposes.);

iii. translating the content component from the first language into a second language to provide a translated content component (Figure 8, '*Spoken sentence translated and emitted via speaker*'; col. 10, lines 2-7, *content component is interpreted as a spoken word that represents the intended language, and so therefore, the source utterances are then translated according to the spoken content component.*); and

iv. generating an audible output signal comprising the translated content in an approximation of the speech pattern of the speech input signal (col. 2, lines 18-20).

However, **Rondel** fails to but **Meredith** does specifically disclose wherein a user's voicing characteristics (voice model components) are integrated with input language to output a more realistic speech synthesis result (Figure 2 discloses where a user sound input is analyzed and integrated with phonetic transcriptions of language to output a more natural sounding synthesized voice.).

Therefore, it would have been obvious to one possessing ordinary skill in the art at the time of invention to include the teachings of **Meredith** in the system of **Rondel** because it provides a customized speech synthesis for conversations that convey more natural sounding speech by means of among other characteristics, amplitude, intonation and tempo adjustments to avoid robotic, wooden and otherwise unnatural sounding speech synthesis (col. 1, line 35 - col. 2, line 67).

Claim 2: **Rondel** discloses a method as per claim 1 above, wherein the first language is identified from the content component (col. 9, lines 28-30, *the utterance, 'French' represents a content component that allows the system to realize what type of language that is intended for the target language*).

Claim 3: **Rondel** discloses a method as per claim 1 above, wherein the first language is predetermined (col. 9, lines 12-17, *the case includes slots for simultaneously receiving at lest two voice language cartridges...one cartridge will automatically be connected to the CPU*).

Claim 4: **Rondel** discloses a method as per claim 1 above, wherein the voice model component comprises a point cloud [digitally encoded voice pattern] (col. 9, lines 40-45).

Claim 5: **Rondel** discloses a method as per claim 4 above, wherein the point cloud comprises an abbreviated [uniquely digital representation] version of speech input (col. 9, lines 39-43, *which creates a digital representation of the spoken word or phrase*).

Claim 6: **Rondel** discloses a method as per claim 1 above, wherein the content component comprises at least one word (col. 9, lines 28-30, *the utterance, 'French' represents a content component that allows the system to realize what type of language that is intended for the target language*).

Claim 7: **Rondel** discloses a method as per claim 1 above, wherein the operation of translating the content component utilizes the voice model component [digitally encoded voice pattern] (col. 10, lines 5-9).

Claim 8: **Rondel** discloses a method as per claim 7 above, wherein the voice model component utilized in the operation of translating the content component comprises a dialect (col. 9, line 68 – col. 10, line 2, *allowing for the unique dialect of annunciation characteristics of a user to be understood*).

Claim 9: **Rondel** discloses a method as per claim 1 above, wherein the audible output signal is generated substantially simultaneously with the receipt of the speech input signal to allow for substantially real-time communication (col. 14, lines 39-41).

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. **Hasegawa (US Patent No. 5,463,713), Miyazawa *et al.* (US Patent No. 5,794,204), Yamazaki (US Patent No. 5,875,427), Tel (US Patent No. 5,943,648), Sabourin (US Patent No. 6,108,627) and Franz *et al.* (US Patent No. 6,161,083)** all disclose translations and alteration of voice patterns based on a user's voice model characteristics.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUSTIN W. RIDER whose telephone number is (571)270-1068. The examiner can normally be reached on Monday - Friday 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. W. R./

Examiner, Art Unit 2626

29 May 2008

/David R Hudspeth/

Supervisory Patent Examiner, Art Unit 2626